IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.4577 of 2006

Date of decision : 10.10.2006.

Adarsh Kumar & Anr.

.....Petitioners.

Versus

Prem Kumar Sabharwal & Ors.

.....Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. R.C.Setia, Sr. Advocate
with Mr. Anish Setia,Advocate
for the petitioner.

Mr. A.C.Dogra, Sr.Advocate
with Mr. S.K.Bawa,Advocate
for the respondents.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 3.8.2006 passed by the learned Civil Judge (Jr.Divn.), Jalandhar vide which the application of the plaintiff-respondent to get the property demarcated from the revenue expert has been allowed.

The learned counsel for the respondents relied upon the judgment of the Division Bench of this Court in **Pritam Singh and another Vs. Sunder Lal and others 1990(2) P.L.R. 191** to contend that no revision against an order appointing of Local Commissioner is competent as the order does not decide any issue nor adjudicate rights of the parties. The learned counsel further places reliance on the judgment of this Court in case

Naranjan Singh Vs. Satwinder Singh and another 2005 (2) P.L.R. 689 and **Hai Om Vs. Minish Kumar 2005 (2) P.L.R. 690** wherein this Court has held that there is no revision under Article 227 be competent against the appointment of the Local Commissioner**.** The learned counsel for the petitioner contends that the authorities in the revenue department have already put in the parties in possession of respective portion and suit prima facie is not maintainable and, therefore, there was no question of appointment of any Local Commissioner. Be that as it may, this Court has authoritatively laid down that no revision is competent. Hence, this revision petition is dismissed as not competent.

October 10,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**